

**MINUTES OF THE REGULAR MEETING  
OF THE PLANNING BOARD  
HELD IN THE TRUSTEES' ROOM, VILLAGE HALL  
ON WEDNESDAY, NOVEMBER 5, 1997**

**Members**

**Present:** Patrick J. Gilmartin, Chairman  
Robert Buford  
William Hoffman  
Peter Lilienfield  
Alan Morris, Secretary

**Also Present:** Kevin J. Plunkett, Village Counsel  
Joseph Elliot, Ad Hoc Planning Board

Member

Eugene Hughey, Building Inspector  
Florence Costello, Planning Board Clerk  
Peter Oley, E.C.B. Member  
Joseph Jacoby, J&L Reporting Service, for

Westwood

Development Associates  
Applicants and other persons mentioned in  
these Minutes  
Members of the Public.

**IPB Matters**

**Considered:** 94-03 -- Westwood Development  
Associates, Inc.

Sht. 10, 10C, 11, Lots

25K, 25J2, 25K2, 25A, 26A

**96-13 -- Louis W. Goodkind**

Sht. 10F, Bl. 253, Lot 15

**97-14 -- Ettore & Maria D'Alessio**

Sht. 13, Lot 141A

**97-17 -- Mitchell & Adrienne Bernard**

Sht. 13B, P-14

**97-26 -- Mark & Amy Tercek**

Sht. 8, Bl. 219, Lot 17

**97-27 -- Irvington Associates**

Sht. 12B, Lot 28

The Chairman called the meeting to order at 8:00  
p.m.

**IPB Matter #97-27:**                      **Application of Spectrum**  
**Irvington Corp. for Site**                      **Development Plan Approval for Lot**  
**#28, Legend**                      **Hollow.**

Craig A. Studer appeared for the Applicant. Applicant paid the required application fee and provided evidence of mailing of required Notice to Affected Property Owners for a public hearing on the application scheduled for this meeting.

E.C.B. comments dated October 29, 1997 and Ralph Mastromonaco's memo dated October 4, 1997 were considered. The Chairman opened the public hearing. There were no comments from the Public. The Board then took the following action. It approved "Site Plan (Lot #28) dated October 1, 1997, revised October 31, 1997".

**IPB Matter #97-17:**                      **Application of Mitchell &**  
**Adrienne Bernard for**                      **Site Development Plan Approval**  
**for property at**                      **240 Harriman Road.**

Stephen Tilly, Architect, appeared on behalf of the Application for a proposed detached two-car garage. The application was reviewed by the Planning Board at its July 2, 1997 meeting and referred to the Zoning Board of Appeals for the necessary side yard variance, and at the September 3, 1997 Planning Board meeting, at which time the Board's evaluation was postponed as neighbors must be re-notified and the Zoning Board of Appeals opinion received.

Applicant submitted evidence the Zoning Board of Appeals at its September 30, 1997 meeting granted a variance, drawings prepared by Stephen Tilly, Architect: "Drainage Plan, dated 10/8/97, revised 11/5/97", "Plant List, prepared 8/19/97, revised 11/5/97", "Bernard Residence, dated 7/15/97", "Bernard Garage, Proposed Garage Plans & Elevations, dated 6/3/97, revised 11/5/97"

and "Survey of Property" prepared by Roland K. Link, dated May 8, 1991.

There were no comments from the Public. After further discussion, upon motion duly made and adopted, the Board approved the Site Development Plan shown on the drawings identified above.

**IPB Matter #97-26:**  
**Tercek for Site**

**Application of Mark & Amy**  
**Development Plan Approval for**  
**property at**  
**8 Hancock Place.**

Radislav Opacic, Architect, appeared for the Application. The Application was reviewed at the October 8, 1997 Planning Board meeting and it was agreed that two conditions would need to be met for approval, an additional neighbor, the Taconic State Commission (representing the Aqueduct) would need to be notified in regards to the application, and Zoning Board of Appeals approval for a variance from certain setback requirements. Mr. Opacic noted both conditions have been met.

Applicant submitted: Survey dated September 28, 1993, prepared by Edward Mihalczko, Land Surveyor", "Proposed Site Plan, dated September 26, 1997", "Existing Conditions, SK2", "Schematic Design, SK3", "Side Elevation (North), SK4", "Proposed South Elevation, SK 5", "Rear Elevation, East, SK 6", "Proposed East Elevation, SK 7", dated September 26, 1997.

There were no comments from the Public. After further discussion, upon motion duly made and adopted the Board approved the Site Development Plan as shown on the drawings identified above.

**IPB Matter #97-14:**  
**Maria D'Alessio for**

**Application of Ettore &**  
**Site Development Plan Approval**  
**Preliminary Subdivision**  
**and**  
**Approval for property**  
**at 27 Hamilton Road.**

Gerald D. Reilly, Esq., appeared for the Applicant, and requested that this matter be put over to the December 3, 1997 Planning Board meeting.

<b><u>IPB Matter #96-13:</u></b>	<b>Application of Louis W.</b>
<b>Goodkind for</b>	<b>Preliminary</b>
<b>Layout Approval for a two lot</b>	
	<b>Subdivision of property at</b>
<b>Harriman Road and</b>	
	<b>Fieldpoint Drive.</b>

Gerald D. Reilly, Esq., appeared for the Applicant. The Planning Board approved plan entitled, Preliminary Subdivision and Site Plan, prepared for Louis W. Goodkind, dated October 15, 1992, revised August 19, 1997. The Board members raised a number of concerns: the 12 ft. retaining wall, Fieldpoint Drive sight line, responsibility for tree clearance, location of drain pipes, and individual lot drawings are needed. All the above concerns are subject to Resolution prepared by Mr. Reilly. The Chairman will write Police Chief recommendations for no parking on Fieldpoint Drive.

<b><u>IPB Matter #94-03:</u></b>	<b>Application of Westwood</b>
<b>Development</b>	
	<b>Associates, Inc., for Limited</b>
<b>Site Development</b>	
	<b>Plan Approval for property at</b>
<b>Broadway,</b>	
	<b>Riverview Road and Mountain Road.</b>

Messrs. Padraic Steinschneider and Charles Pateman appeared on behalf of the Application. Mr. Steinschneider noted Westwood is completing a survey of High School Drive and the utility connections, and the D.E.I.S. is almost complete. The Chairman requested the status of Westwood's escrow account. The Board had not heard from the Village Department Heads. Mr. Gilmartin reminded everyone that Remedial Legislation will be the next step after the D.E.I.S. is presented.

A stenographic transcript of the proceeding was made and will be filed as part of the Board's record on this matter.

**Ministerial:**

- **Waterfront Park Project.** Letter received from Village Administrator dated October 17, 1997, stating the Village Board of Trustees requests Planning Board Site Plan Approval. A site walk is proposed.
- **Declaration of Emergency Access and Pedestrian Trail Easement Agreement Concerning Lot #40, Legend Hollow Subdivision.** The Chairman noted receipt of agreement which states the Village shall be responsible for all costs incurred in connection with the maintenance and repair of the easement area.
- **IPB Matter #97-10 - Frank & Ruth Nicodemus, 200 Peter Bont Road.** Correspondence to be filed.
- **Griffin Property, 100 South Broadway.** Correspondence received requesting Special Permit Renewal extension. A public hearing on the request was scheduled for December 5.
- **Legend Hollow.** Spectrum Irvington Corp., submitted Site Development Plan Approval Applications for Lot 4, 17, 18, 20, 31, 35, 44, and 60, for review and public hearing at the December 3, 1997 Planning Board meeting. A site walk is planned for November 15, 1997 at 8:00 a.m.
- **Minutes** of the Planning Board held on October 8, 1997, previously distributed, were on motion duly made and seconded, approved.
- The next regular meeting of the Planning Board was scheduled for December 3, 1997.

There being no further business, the meeting was adjourned.

Respectfully submitted,

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Allen Morris, Secretary